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CORRESPONDENCE.

RALEIGH, N. C., NOV. 19, 1873.

Dear ——:—Day before yesterday in the House of Representatives the "back pay" act of Congress was the chief question, four different sets of resolutions upon the subject having been introduced by as many Representatives, to-wit: Messrs. Morgan, of Yadkin, Trivett, Radical, of Ashe, Hunter, of Chatham, and McGee, of Person. The general impression seems to be that there will be some action taken by the Legislature to express its disapprobation of the "back pay" provision of the act of Congress referred to, coupled with instructions to our Senators and a request to our Representatives in Congress to use their efforts to secure its repeal.

In the Senate on yesterday the principal feature was the introduction of resolutions by Mr. Dunnam, of Wilson, calling upon the President to take prompt and decided steps to secure atonement for the insult to the United States in the capture of the Virginius and the massacre of her crew and passengers. The resolutions urge the recognition by the United States Government of the right of the Cuban insurgents to be treated as belligerents, and copies of the resolutions are directed to be sent to the President and to Congress.

The Joint Select Committee of both Houses of the General Assembly, to consider and report what action ought to be taken in behalf of the State in the matter of the suit of Self *et al* vs. The Public Treasurer, have not yet reported. Governor Caldwell has employed Messrs. B. F. Moore, W. N. H. Smith and K. P. Battle to appear as attorneys, with the Attorney-General for Mr. Treasurer Jenkins. It is understood that the Committee do not propose to support any action until the decision of Judge Bond shall have been made, which will probably be next week. The impression seems to be that the injunction will not be continued as to any monies in the Treasury except those collected for the "general fund" as it is called, even if it be continued for that. The special tax money was turned into the "general fund," that is, the fund raised to pay salaries, &c. It, therefore, the money raised for the express purpose of maintaining the Asylums, building the Penitentiary, &c., be appropriated to making good the special tax fund it would seem to be robbing Peter to pay Paul, and that the Asylums and Penitentiary authorities would at once have a cause of action against the Treasurer therefor. Admitting, for the sake of argument, that Special Tax Bonds are valid and that the bondholders have a right to have that special tax interest fund replaced and paid out to them, they have no right, according to a common sense view of the matter, to have it replaced from any fund except "the general fund," the one to the use and benefit of which it was converted.

It it shall turn out, however, that the whole $1,000 shall be locked up until the suit shall be carried to the Supreme Court of the United States, and there work its slow way from the foot of the docket to a decision, a practical view of the situation suggests that the bank with which Mr. Treasurer Jenkins deposits the State funds for safe-keeping will make good none of it. Two hundred and fifty thousand dollars per month of money checked out would be moved for a year or two would be a very desirable acquisition to any bank in these hard times. Doubtless Mr. Jenkins would prove to be quite a popular gentleman in banking circles. At a moderate calculation money is worth ten per cent. per annum, and at this rate whatever bank should be fortunate enough to get the deposit would make just twenty-four thousand dollars per annum by the pendency of the suit, and when the decision was finally rendered would doubtless say it was a consummation most devoutly *not* to be wished. But some people are lucky in this world.

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CONSECRATION OF BISHOP LYMAN.

We learn that the Rev. T. B. Lyman, D. D., Assistant Bishop elect of this State, will be consecrated at Raleigh on December 11th proximo.

The venerable Bishop of the Diocese of Maryland will be the Consecrator; Bishop Lay, of Easton, will preach the sermon; Bishop Atkinson and Bishop Stevens, of Pennsylvania, will serve as Presenters.

The Bishops of Louisiana, Alabama and South Carolina will be present and take part in the impressive services.

We understand also that Bishop Green, of Mississippi, and Bishop Beckwith, of Georgia, are to be invited to assist in the Consecration.

The imposing character of the services and the presence of so many of the high dignitaries of the Episcopal Church cannot fail to be matters of much interest to the members of that Communion throughout the Diocese.

INFLATION.

The New York *Nation* has "as yet "to hear of any newspaper or man of "influence and reputation for financial "sagacity who is in favor of inflation. "Indeed, one of the most remarkable "things about the present crisis is "that, though it is taken for granted "on all hands that *Congress, as soon "as it meets, must inflate*, the avowed "object of every one who speaks or "writes on the subject, including the "President and Secretary of the "Treasury, is to get back to specie "payments as soon as possible."

Those who speak and write, including the President and the Secretary of the Treasury, may favor specie payments, but those who work and vote want currency and more of it, and we opine that the politicians will heed the wishes of the latter rather than the former. It will be safe to predict that no Western or Southern member will be returned to Congress who does not use his efforts and cast his vote for "cheap money." The people intend to have it, and those who speak and write cannot keep them from it.

CUBA.

Possibly there may be a war with Spain, but if there is it will be because it is forced upon the Administration. At present, President Grant does not mean war. What the early future may bring forth, no one can tell. There is considerable bluster, but there is no action. Secretary Fish writes long letters to Minister Sickles; the American Consul at Santiago protests; yet the butchery of American citizens go on, and an infuriated mob insult and threaten the American Minister in his own residence at Madrid, while sitting under the folds of "the flag". Secretary Fish advises Minister Sickles, while his son-in-law, Sidney Webster, acts as legal adviser to the Government of Spain and receives heavy fees for his services.

In the meantime, President Grant smokes.

All at once our President-General finds out that this country has a Constitution. He is now, for the first time during his two terms, checked by a want of power. The lives of American citizens, and the honor of the American flag cannot be avenged or protected, because the President has not the authority. When Southern States are to be oppressed; when military tribunals condemn and execute Southern citizens without evidence and without authority; when Indians are to be annihilated by Courts Martial; when the miscreants of the President's pet government in Louisiana desire to pillage and ravish, then are laws and Constitution silent. Authority can be or is found to permit and order it all. There is not a hair to execute innocent victims to appease partizan rancor. Mrs. Surratt and Captain Beall, and Watt found no protection under a violated Constitution. The Butler-Burrid is more fortunate. At least our President can take time to consider his authority. Apologies and regrets are looked for and waited for. If these Cuban murderers had only been Southern Ku Klux, with what pleasure delhaste would Grant have sent his army or Judge Bond after them, and wiped them from the face of the earth. How fortunate it is for them that they are not Southern "rebels."

The American Fleet.

The following American war vessels, it is though, could be gathereed in Cuban waters within the next two months, most of them inside of thirty days:

Name.	*Tons.*	*Guns.*
Colorado	3,032	45
Franklin	3,173	30
Minnesota	3,000	45
Niagara	2,958	12
Wabash	3,000	45
Florida	2,135	23
Tennessee	2,135	23
California	2,400	21
Susquehanna	2,213	23
Lancaster	2,120	22
Brooklyn	2,000	21
Pensacola	2,000	22
Hartford	2,000	18
Richmond	2,300	14
Congress	2,000	16
Severn	2,000	15
Worcester	2,000	15
Powhatan	2,182	17
Saranac	1,238	11
Alaska	1,122	12
Benicia	1,122	12
Omaha	1,122	12
Plymouth	1,122	12
Lackawanna	1,020	10
Ticonderoga	1,019	11
Canandaigua	957	10
Monongahela	999	11
Shenandoah	999	11
Jamaica	828	8
Ossipee	828	8
Kearsarge	695	6
Wachusett	695	6
Wyoming	726	6
Kansas	410	4
Nipsic	453	4
Shawmut	410	4
Tuscarora	651	8
Gettysburg, (now [illegible])	518	4

[illegible]

Ajax	550	2
Catawba	550	2
Dictator	1,750	2
Mahopac	550	2
Manhattan	550	2
Miantonomah	1,225	4
Monadnock	1,091	4
Puritan	1,870	4
Roanoke	2,260	4
Sangus	850	2

This estimate includes all vessels now in ordinary that could be fitted out for sea within thirty days, and all on squadron duty could report at Key West within the same number of days after the receipt of orders.

The President's Organ on Cuban Affairs.

The correspondence that was recently begun does not promise an immediate termination, the desire of the Government being, as already expressed in the Republican, to obtain full information as to all the circumstances concerning the capture of the Virginius and the atrocious executions which followed. No American, however deeply he may sympathize with those who have suffered by the murders at Santiago de Cuba, can expect the Government to hastily resort to force in the absence of well-ascertained facts which, when they are known, may justify the most stern and decisive measures. The President is free in his utterances concerning his duty in the matter, and only yesterday said that "this Government will take care that the national flag shall be everywhere respected, and American citizens everywhere protected in all their rights."

The Constitution and the law vests the war-making power in Congress. Under the circumstances it is apparent that the Executive cannot use force, even if he were so disposed, to right the wrongs of which we have so long and so frequently complained. Hence Congress will be made acquainted with all the facts in the case, so far as they shall have been obtained at the time of its meeting, and the responsibility will then rest upon it to direct such action as the circumstances at that time existing may demand.

Stephen Smith, for many years the aged leader of the colored race in Philadelphia, died on Friday last. He life was divided into a youth of slavery, a manhood of freedom bought by his labor, and an old age of wealth and honor. He voted for Gen. Jackson, as a Democrat, in 1834; lost his vote by the act inserting the word "white" into the State constitution of Pennsylvania in 1838, and got it back under the constitutional amendments in 1869. He has made, it is stated, splendid benefactions to the aged poor.

The daughter of Senator Carl Schurz is to be married to Mr. Boker, of Bavaria. The wedding will take place in New York.

THE STATE DEBT.

Report of the Public Treasurer.

We make the following extracts from the Report of Treasurer Jenkins. Everything relating to the Debt of the State must surely prove of interest to our tax-payers. No subject will come before the Legislature of more importance. The JOURNAL has so often expressed its opinion upon all matters relating to the Debt, that it is useless now to reiterate. When Holden, and Caldwell, and Littlefield and Swepson were holding high carnival in Raleigh, we gave solemn warning, day after day, that North Carolina would never "foot the bill" for their profligacy. The day of reckoning has almost come. Let those who enjoyed the dance pay the fiddlers.

Treasurer Jenkins in his Report says:

I again call the attention of the General Assembly to the necessity of making some provision in regard to the debt. The statements show *in extenso* the amount of the same, when due, and for what purpose issued. It is seen that the entire amount, excluding special tax and unconstitutional bonds, is $17,881,045, with past due interest, say $5,506,154.85.

For specific information I distribute the same as follows:

1. Old, or ante-war bonds, dated prior to the war, total amount, $ 8,578,200
Accrued interest 2,513,460

Total $10,891,660

These were sold by the State, or by its agents, on an average at par for gold.

There is no charge that their proceeds were not honestly expended, although in some instances the investments were unfortunate. For example, the following enterprise, for which $201,000 bonds are outstanding, are almost if not quite *total failures*, adding a little, if anything, to the wealth of the State, viz:

Cape Fear and Deep River Navigation Works,	$145,500
Fayettville and Western Plank Road,	50,500
Neuse and Tar River Improvements,	25,000
Fayetteville and Centre Plank Road,	45,000
Fayetteville and Warsaw Plank Road,	10,000
Tar River,	15,000
Total,	$291,000

The following enterprises for which $4,210,500 bonds are outstanding are not failures, *i. e.*, they add something to the prosperity of the country, but the interest of the State in them has little, if any, market value:

Atlantic & North Carolina Railroad,	$1,351,500
Albemarle & Chesepeake Canal,	324,000
Western Coal Fields Railroad,	386,000
Western North Carolina Railroad,	1,136,000
W. C. & R. R., now Carolina Central,	1,013,000
Total,	$4,210,500

The above Companies have never declared a dividend. The Wilmington, Charlotte & Rutherford Railroad Company has gone out of the hands of the State altogether by sale of all its franchise and property.

The following investments, for which bonds now outstanding amount to $2,865,000, have considerable value, viz:

The Insane Asylum,	$71,000
North Carolina Railroad,	2,791,000

The bonds issued for the North Carolina Railroad Company are made by the charter of the Company, a lien on the State stock in the Company. The bond-holders, under a decree of the United States Circuit Court, in the suit of Swazey and others vs. the North Carolina Railroad Company and others, are now receiving the dividends and will no doubt, at least when the bonds become due, obtain the stock itself, if they so desire.

2. The second class of bonds consists of those issued since the war, but under acts passed before, as follows:

Wilmington, Charlotte and Rutherford Railroad,	$ 437,000
Western North Carolina Railroad,	2,241,000
Total principal,	$2,728,000

These bonds were sold for not over about sixty cents in the dollar for currency, when gold was at a large premium, netting to the company considerably less than fifty cents in gold.

I have already stated that the interest of the State has been altogether lost in the Wilmington, Charlotte and Rutherford Railroad Company, and it is probable that the same will sooner or later be the case in regard to the Western North Carolina Railroad Company.

3. There is a third class of bonds, issued during the late war and, for that reason, not marketable, but having been for internal improvement purposes, should be included in a general settlement of our debt, viz:

Wilmington, Charlotte & Rutherford Railroad Company,	$495,000
Western N. C. Railroad Co.,	220,000
Western Railroad Company,	200,000
Total,	$ 915,000

4. A fourth class of bonds consists of those issued to take up past due interest, viz:

Under the Funding Act of 1866,	$2,417,400
Under the Funding Act of 1868,	1,711,100
Total principal,	$4,128,800

Nearly all the bonds issued under the former act were for old bonds matured and for coupons of old bonds. Those issued under the Funding Act of 1866 were for old bonds matured, and recognized bonds that had become defaced and mutilated, bonds of the denomination of $100 and $200, coupons of old bonds and coupons of bonds issued since the war to the Wilmington, Charlotte and Rutherford Railroad Company, the Western N. C. Railroad Company, and under the Funding Act of 1866. But none were for coupons of Convention or special tax bonds.

5. A fifth class of bonds comprises those issued under ordinances or acts passed since the war, viz:

To Chatham Railroad Company, (now Raleigh and Augusta Air-Line) under ordinance of Convention of 1868,	$1,200,000
Williamston & Tarboro Railroad Company,	150,000
	$1,350,000

The bonds for the Chatham Railroad were disposed of, it is stated, at about sixty cents in currency. What amount the $150,000 to the Williamston and Tarboro Railroad brought I am not informed, at any rate the investment has been disastrous, and now the interest of the State is entirely lost by sale under bankruptcy proceedings.

Lastly are the "special tax bonds" in the aggregate $11,407,000 detailed as follows:

Wilmington, Charlotte and Rutherford Railroad,	$3,093,000
Western N. C. R. R. Eastern Division,	273,000
Western N. C. R. R., Western Division,	6,367,000
Western R. R., (Coalfields,)	1,320,000
Williamston and Tarboro R. R.	30,000
Atlantic, Tennessee and Ohio R. R., (certificates)	117,000
	$11,407,000

Of the above the first million of dollars of bonds issued to the Wilmington, Charlotte and Rutherford R. R. Co., were sold, it is said, at about fifty cents in the dollar, and the proceeds were used in paying the debts of the company contracted on construction account, but the residue, about $2,000,000, were sold at a heavy sacrifice at almost nominal prices, and the company derived little benefit from them. The same may be said of those issued for the Western N. C. R. R. Co. At any rate but little work was done on the road from their proceeds. The bonds for the Williamston and Tarboro R. R. Co., were sold at better rates, but as said above, the State has lost its entire investment. The Western (Coal Fields) R. R. Co., derived no benefit worthy of mention from the $1,320,000 issued for that Company.

The foregoing statements show that the experience of the State in Railroad and Navigation enterprises has been unfortunate with one exception, the North Carolina Railroad Company. Even this was for many years non-dividend paying. Practically as to the rest of the debt except that contracted on account of the Insane Asylum, the State has nothing whatever to show except whatever general increase of property has been made by the partial construction of the works.

Such general improvements in the value of property in the State does not exist. The valuation of the real estate of North Carolina in 1860 was in round numbers $97,670,000. In 1872 it was in round numbers $82,160,000. I am unable to give a comparison as to personal property because it was not taxed according to its value until 1868, but I think as the total valuation of real and personal estate in 1872 was $122,500,000 there has been a similar retrograde as to both.

I have gone into this matter in such detail because those who sneer at our not paying interest on the public debt ignore the facts of our situation.

Omitting special tax bonds altogether, the interest on the rest of our debt, supposing our accrued interest to be funded, would be $1,196,023.90 per annum.

To this add the expense of supporting the State Government and it will be necessary to raise $1,900,000 per annum, or 1 and 3-5 per cent of the real and personal property. Add an amount for county taxation equal to that for State Government expenses, and we have outside the towns and cities, 2 1-10 per cent of our property. And in many of the cities and towns the levies for municipal purposes are as large, if not larger. Now add as the holders of special tax bonds propose a tax of $855,000, or 1 of 1 per cent. on the property and we have a grand total of 2 and 8-10 per cent.

It is manifest that our people can not and will not pay such enormous levies. Any attempt to enforce it would result in total repudiation.

Even if our General Assembly should vote a levy of present, even omitting special tax bonds, the people would reverse their action at the next election.

The most feasible plan for settling the question of the public debt is to authorize the issuance of new bonds, with a tax levied on the same for the payment of the interest, holders of bonds of the State to be allowed to surrender the same and receive in new bonds at such rate for new of a reasonable as might be prescribed by the General Assembly. I would respectfully suggest that coupon bonds be of five hundred dollars each, and interest-bearing bonds, and the same used to fund the interest on the same, of like denominations as for three and all other bonds issued since the war, except special tax bonds. As to the latter, I refer to a commission to be appointed, whose duty it shall be to ascertain what portion of the proceeds were applied to public work, and report to the General Assembly, that the Assembly consider as valid a part of the special tax bonds, proportioned to such amount realized.

Of course if any creditor should prefer to decline the proposal indicated and take his chances for the future he could do so.

But I am inclined to think that after a full exploration of the poverty of the State, most, if not all, would accept the arrangement.

I consider the proposition will be carried into effect. Any delay for that longer delay will result in entire repudiation for a term of at least. Already such a policy is advocated by a number of influence, and there is danger that it will become popular. Prompt action only will defeat it.

I learn by the public press that the Auditor and myself are threatened with a suit by the holders of special tax bonds. This would be in effect a suit against a sovereign State, prohibited by the Constitution of the United States. It will be resisted of course to the last extremity. I am informed that the Governor and Attorney General have full power to employ counsel in such defence—if not I recommend that such power be granted by the General Assembly.

That the State shall pay these bonds in full—many of which were fraudulently sold by the State agents, nearly all under circumstances which amounted to notice to prudent men not to buy, cannot be entertained, in my opinion, for a moment.

Worth Its Weight in Shadow.

Flesh, muscle and mind alike deteriorate when the stomach falters in its duty and the bowels do not perform their part as scavengers of the system regularly and naturally. In chronic dyspepsia the body is ossified, emaciated, and the muscular fibre loose and flabby, and the brain incapable of prolonged or vigorous exertion. Every organ, every member, even the immortal mind itself, is to a certain extent dependent upon the stomach for support. Strengthen and regulate this feeder of the system with Hostetter's Stomach Bitters, when it fails to perform its functions properly. A good appetite, an increased flow of the gastric juice, and perfect digestion and assimilation will assuredly be the result. The manner in which the great tonic and alterative effects a cure of dyspepsia is direct and simple. It stimulates the digestive organs, ensures without convulsing the bowels, regulates the flow of bile and determines it into the right channels, and exercises a tranquilizing influence over the nerves.

The President, says the Boston *Post*, will get his dander up as soon as the Havanas stop coming.

Two Georgians, announced to fight a duel, have agreed to defer it until the government takes action in the Virginius matter. They will probably "live long and prosper."

HELP FOR THE PLANTERS.

The proposition has been suggested by a Northern gentleman for the Government to loan to the Southern States five hundred millions of dollars, of four per cent. bonds, having twenty or thirty years to run, to be distributed among these States in proportion to their population, and loaned to planters at six per cent. on unincumbered improved real estate in actual cultivation and twice the value of the loan. The gentleman making the suggestion, thinks that long before the principal shall be due events may take place which might induce the United States to relinquish to the borrowing States their whole indebtedness. Hon. R. M. T. Hunter, of Virginia, to whom this suggestive proposition was made, without making claim for the loss by emancipation of any slave, shows very clearly that the United States Government is committed to such a policy of compensation in its treaties with Great Britain, terminating two wars, by treaties in which it was stated that the British armies should withdraw without "carrying away any negroes or other property of American inhabitants;" and because they did carry away negroes during the war, a claim for compensation was admitted by the British Government. In the first article of the treaty of Ghent there was a stipulation on the part of Great Britain in regard to "any slaves or other private property carried away by them," and the Emperor of Russia, to whose arbitration the case was submitted, decided that the British should pay the American owners for slaves carried away during the war. Mr. Hunter also shows the dilemma in which the fourteenth amendment to the Constitution places the Government of the United States. By the fifth amendment to the Constitution it is provided that private property should not be taken for public uses without just compensation." Whenever such property is so taken, a claim accrued to the individual owner for just compensation, which the Government was bound to respect, not only upon considerations of justice, but under the express provisions on the Constitution before the adoption of the fourteenth amendment. Now, the obligation to discharge the debt having occurred under the fifth amendment, and before the adoption of the fourteenth, which forbids the payment of such debt, of course the latter amendment cannot impair the prior obligation. At any rate, the Government is placed in an absurd dilemma by this fourteenth amendment, the fruit of passion and party zeal. The repeal of that amendment is not asked, but Mr. Hunter suggests action after the precedent established by the act of Congress of June 28, 1832, in reference to depositing the surplus revenue of the United States with the different States, upon the terms and manner therein specified.

Back Pay Disallowed.

A former lieutenant in the United States army, who resigned his commission and went South and joined the Confederacy, now make application for back pay due him at the time of his resignation, on the ground that Congress has removed his disabilities. The question being referred to the Attorney-General at Washington, that officer decides that the Government is by law prohibited from paying such claims.

Comparative Strength of the United States and Spanish Navies.

While a majority of them know, from reports which for some years past have been officially sent to the Department, the number and formidable character of the Spanish war-ships generally, they have no fear from that fact. Even should war result it would not be, excepting so far as the island of Cuba is concerned, a war of invasion on our part, and the naval warfare would not be on the high seas, but confined to the Cuban coast and to the ports of the United States, which many prominent officials here think would be thoroughly protected by iron-clad monitors and torpedoes and obstructions. Our naval officers who have seen active service on our ironclads, even before they were brought to the present state of efficiency declare, without hesitation, that one of our monitors could sink a Spanish manof-war in a close contest in a very few minutes. Our monitors have but little of the hull visible, only eighteen inches above the water-line—are practically invulnerable, and even the part exposed could be still further protected, if deemed necessary, by means of feeders. A Spaniard could of course

DISCHARGE A TORPEDO

by running away from the monitor, and the latter, not being constructed for speed, could not make successful pursuit, but after action should be commenced, and the two vessels be in close quarters, our monitors would soon disable their opponents. The Spanish steamers, represented to be of such formidable character, are plated with iron four inches thick, but within one thousand yards of a monitor this would be considered of little importance in the face of one of our powerful fifteen-inch guns, in which are used from eighty to one hundred pounds of powder at a single discharge.

THE SPANISH IRONCLADS

being constructed after the model of ordinary vessels, present a large hull above the water-line, affording fine targets for our gunners. The most vulnerable part about a monitor is the turret, which may be prevented from revolving by an enemy's shot, but great care has been taken to perfect them in this respect. Even should the turret be disabled, the guns could be directed by means of the helm. Though this latter course would occasion some inconvenience it would not destroy the effectiveness of the monitor.

Again, it has been said that

AMERICAN SHIPS

are deficient in heavy rifled ordnance, and that every foreign fighting ship is armed with guns of that class; but officers of experience express the opinion that the employment of rifled ordnance on armed ships in preference to smooth bores is an anomaly if not a grave error. A vessel-of-war should be constructed to resist shot and shell at the shortest distance; and they argue that a rifled piece is inferior to a smooth-bore at very short range—say 500 or 1,000 yards. Generally the smooth-bore is as effective at distances from 1,000 to 1,200 yards, or, as an old naval officer who commanded a monitor during the war, expressed it, "When I have got the work to do within 1,000 yards I don't want any rifled ordnance."

The question as to the sea-going qualities of the monitors being next referred to, it was stated by one of the most prominent officers of the navy that they can go to sea with perfect safety, but they should always have another vessel with them for the reason that the compasses on a monitor, on account of the great mass of surrounding iron, work sluggishly and inaccurately, and another vessel is almost indispensable for them to steer by, especially at night. Otherwise they are perfectly safe at sea.

Key West is to be made the grand depot of supplies for the North Atlantic fleet, and a full paymaster, Ambrose J. Clark, has been ordered to duty there with an assistant paymaster.

From the Louisville Courier-Journal.

MURDER WILL OUT.

AN EXTRAORDINARY STORY OF CRIME AND RETRIBUTION, NOW FIRST PUBLISHED.

A LEAF FROM A LAWYER'S DIARY.

[The following graphic and remarkable narrative has been obtained by us from a prominent lawyer in one of the Eastern Kentucky counties. The facts in it have not before been published, but for their entire accuracy the reputation of the writer will vouch.—*Ed. Cour. Jour.*]

In 1865 I was the State's Attorney in the —— judicial district of Kentucky.

I had gone to the county of O——, one of the counties in the district, for the purpose of being present in the prosecution of the criminals. There had been no court held in that county since 1861, owing to the civil war. I found everything in the worst confusion possible. Men had been murdered in cold blood, and nothing was done with them. Murder, arson, robbery and all the crimes in the catalogue, had been committed with impunity, and the malefactors had gone unwhipped of justice, owing to the absence of law. During the war everything was anarchy; there was neither safety to women nor innocent children—all suffered alike. When it was known that there would be a circuit court held in that county, the news attracted a very large crowd.

On Monday morning, November 8th, 1865, I found a large crowd in B——, the county seat of O——. Men, women and children came, some thirty miles. Guerillas and bushwhackers came with their guns and pistols, as if to overawe the court, and determined that none of their gang should be indicted for the numerous murders of which they had been guilty. Court opened, and the Sheriff returnd his list of a grand jury. The Court instructed them as to their duty; they were sworn and sent to their rooms. I had determined in my own mind that every person that had been guilty of a felony or misdemeanor in O—— county should be regularly indicted, if I could in any way obtain the evidence against them.

There was a case that was shrouded in mystery. A young man, who was the pride of a widowed mother, had suddenly disappeared from the county about two years before, and had never been heard from. His name was Charles Belknap; he was an only child, handsome, finely educated, and as brave as a lion. I made diligent inquiry. I had about one hundred witnesses summoned. I examined them closely, and when I dismissed them I warned them to tell no one what transpired in the grand-jury room. In that way I hoped to keep the real murderers in the dark as to what I was doing.

I could only gather the following circumstances in the case: That young Belknap had left his home in June, 1863, and was riding a very fine horse, with $1,500 in his possession. He failed to return at night, and his mother became very uneasy about him and the next morning set out to make inquiries concerning him. She went to the house of 'Squire Mosely, who lived about five miles from her, a leading man in the county, and told her story and made inquiries concerning her son. The 'Squire told her that her son was at his house the day before and left in the direction of the town of B.; that he left about 10 o'clock in the morning. This was all she could hear of him. No one else had seen him, and she returned home a broken-hearted mother. She made inquiries of every person; every stranger that passed was interrogated, but all in vain. She still kept up her search for her missing boy, and about twelve months after he had so mysteriously disappeared she was returning home from one of her searches and met 'Squire Mosely. The 'Squire told her he had heard from her boy; that he was in Iowa. He had received a letter from him, and that he would be at home soon; that he had the letter at home, &c. Mrs. Belknap went directly to the 'Squire's house without communicating her intention to him, and inquired of the family for the letter that the 'Squire had received from her long-lost boy. The family seemed surprised, and knew nothing about such a letter having been received.

This was all the evidence I could get as to the probable fate of her son.—What was I to do? I went to my room and studied over the matter. How could I say that young Belknap had been murdered? His body had not been found; and who would dare to accuse Squire Mosely of such a crime? I lay in my bed that night thinking over the circumstances, and it was near 4 o'clock in the morning when I fell asleep. I slept until 8 o'clock. I got up, washed and dressed myself, fully determined to indict Squire Mosely for the crime of murder. I went to the grand jury room, directly after eating a hearty breakfast. I told the foreman what my intentions were. I drew up the indictment, accusing Squire Mosely of the crime of murder, committed as follows, viz:

"The said Squire Mosely, on the — day of August, 1863, in the county of O——, did feloniously and with malice aforethought kill and murder Charles Belknap by shooting him with a gun loaded with a leaden bullet, against the peace and dignity of the Commonwealth of Kentucky."

I presented the indictment to the grand jury, and they endorsed it a true bill. I cautioned the members of the jury to say nothing about what we had done, but to keep the whole thing secret, and if before the court adjourned nothing turned up to fix the crime on the Squire, that we could destroy the indictment. The grand jury found indictments against eighteen persons for murder, and so secretly was it managed that the sheriff had them all in jail at once.

The indicting of so many persons naturally produced great excitement among the citizens. I went to my room that night and double-locked my door, examined my pistol and put it under the head of my bed. About 12 o'clock I heard a knock at my door; I demanded to know who was there. A person answered, "a friend." I got up, lit a lamp, took my pistol in my hand and opened the door. A stranger stepped in. I closed the door and demanded his business. He seemed very much frightened, and casting a hasty glance around the room to satisfy himself that there was no other person in the room except myself, he told me that his name was Colby, and stated that he wanted to communicate a very important fact to me concerning the fate of young Belknap. I told him to proceed. He wanted to know whether he could turn State's evidence or not and save himself. I replied in the affirmative. He then told me that he knew where young Belknap was buried, that 'Squire Mosely had killed him, and got $1,500 from his person, and had run Belknap's horse off and sold him to some Confederate soldiers, and that he had assisted Mosely in burying Belknap. I told Colby to keep his seat in my room, that he should not be hurt; and I went out, hunted up the sheriff and told him to get eight or ten reliable men and bring them to my room. He did so. I then took the sheriff and Colby into a room and made Colby repeat his story over to that officer. I then directed the sheriff to procure a sack and take Colby and the men he had brought with him and go and get the bones of young Belknap and bring them to my room that night. The sheriff did as I directed him.

When court convened the next morning, and as I stepped into the court-room, 'Squire Mosely was the first man I saw. I had the grand jury called, and they presented the indictment against 'Squire Mosely for murder. People looked at one another in blank amazement, and look incredulous. 'Squire Mosely marched up to the bar and demanded a trial then; that the charge was a base fabrication and false. I whispered to the sheriff to bring the sack. He did so. I told him to empty the contents on a bench in front of 'Squire Mosely; and as the bones of the murdered man fell out upon the bench, they seemed to sound the death-knell of the man. He looked the picture of despair, and dropped in his seat and covered his face with his hands. I announced to the court that all that was mortal of Charles Belknap was then in court, and I was ready to proceed with the trial.

Excitement ran high, the mob shrieked and howled "Hang him! hang him!" and the court was powerless to protect the miserable man. The mob, with the mother of young Charles Belknap at their head, forcibly took the trembling culprit out of the custody of the sheriff and hung him to a limb of the nearest tree. Before he swung off he acknowledged his guilt.

And as I passed by his lifeless form swinging from the limb of that tree, I was forcibly reminded of the legal phrase, "Murder will out."

STATE NEWS.

The Clinton Fair opens on Tuesday next.

Hillsboro had a furious snow storm last Monday.

The population of Goldsboro may now safely be put down at 3,000.

Col. Walter Clark, of Halifax, has returned to Raleigh for the practice of law.

A bald eagle measuring 6 feet 6 inches from tip to tip of wing, has been killed near Raleigh.

A lodge of Knights of Pythias has been formed in Wilson. The lodge is known as Contentnea Lodge, No. 12.

Mr. Geo. W. Blount, of Wilson, has bought the Bloomery iron mine, in Nash county, and is pushing it energetically.

The Roanoke News records the accidental shooting of a negro boy near Halifax, on Friday, by the discharge of a gun in the hands of his brother, while the two were out hunting.

The Salem Press says: Samuel Reeves, Sen., died at his residence, near Salisbury, last week, aged about 72 years. He was a prominent and respected citizen of Rowan county.

The Raleigh Sentinel learns that an interesting revival is progressing in the Greensboro M. E. Church under the conduct of Rev. Jesse A. Cunninggim. There were some twenty penitents on Sunday night.

The Fayetteville Gazette says: We have heard the argument of Maj. Jas. C. MacRae, at Raleigh, in the case of the W. C. R. R. Co., praised as a very able effort, much spoken of in high commendation by all who heard it.

The Winston Sentinel says: Yadkin county is building a lunatic asylum at the poor house for the care of the unfortunate insane of that county who are now confined in the jail, and are unable to get admission to the State Asylum.

The Winston Sentinel says: A correspondent from Surry county informs us that William Overby, of that county, died on Thursday, the 6th inst., at the age of 117 years and 10 months. He was in full possession of all his mental faculties.

The Lumberton Robesonian says:—We learn from Capt. Willis P. Moore, of this county, that the barn of Mr. Peanel Wood, containing his entire crop, besides vehicles, &c., was entirely consumed by fire on the night of the 8th inst.

The Salisbury Watchman says: We notice that the farmers of Rowan are beginning to bring in their fine. The crop in the county this year, we learn, is very good. If transportation could be had for it at reasonable rates, it would prove a more valuable product than cotton.

Governor Caldwell has employed as Council for the State to assist the Attorney General in the cause of Self *et al* vs. David A. Jenkins, Public Treasurer of North Carolina, (which is the suit of the Special Tax Bond-holders against the State of North Carolina) Hon. B. F. Moore, Hon. W. N. H. Smith and Hon. K. P. Battle.

The Greensboro Patriot says: The project of building the road from here to Cheraw, with the aid of an English company, has collapsed, for the present, at least. By letter received from Mr. Robeson, we learn that the parties abroad, for reasons deemed sufficient by them, decline to invest their money in the enterprise.

The Raleigh News says: We learn that a Mr. Maddrey, residing near Seaboard, Northampton county, was killed on Monday evening by the falling of a tree. He went out to attend to the feeding of his hogs during the prevalence of the storm which prevailed on that day, and was caught beneath a tree that was blown down.

The Hickory Press says: Amidst all the depression and panic, trade was never so buovant at this place as now. Every day sees the streets filled with wagons loaded with produce. The local trade is better than ever before. If there is a town in the State whose merchants possess the vim of the Hickory merchants, it would be refreshing to hear from them.

The Newbern Times says: We learn that Thomas Powers, Esq., of this city, has received his appointment as Internal Revenue Collector of this District. The papers in the State have been in error in stating that Thomas Rodgers was appointed to the position and we can only ascribe the mistake to the associated press reports, by which means the report was first circulated.

The Raleigh Sentinel says: We regret to learn that on Monday evening the grist and saw mill, cotton gin, wool-carding machine and cotton press of W. C. Moore, Esq., in Little River township, some eighteen miles east of Raleigh, were totally destroyed by fire. The loss is estimated at $8,000, but we could not ascertain whether or not any of it was covered by insurance.

The Raleigh Sentinel says The Right Rev. Bishop Atkinson will ordain Mr. P. T. Rogers to the Diocesanats in St. Augustine's Chapel in this city, to-day at 11 o'clock A. M. Mr. Rogers has pursued his studies for the ministry in St. Augustine's Normal School in this city. He will be assigned to duty in St. Joseph's Church, Fayetteville. This will be the first ordination of a colored candidate in the P. E. Church in North Carolina.

The Raleigh Sentinel says: Wake has 26 convicts in the penitentiary, leading all others. New Hanover is next, having 23. Edgecombe has 16, Duplin 15, Halifax 14, Guilford and Craven 12 each, Mecklenburg and Beaufort 10 each. The average number during the last eight months was 401. The cost of feeding each per day was 13 cents. The total expenditures for the year ending Nov. 1, 1873, were $74,968.22, and of this $59,947.32 was on "building account."

The Greensboro Patriot says: The following persons were brought here on Monday and temporarily lodged in jail. They were convicted at Federal Court in Asheville of dealing in counterfeit money and sentenced to Albany penitentiary for a term of two years with a fine of $2,000. The names are, T. Barker, Ashe county; Dr. L. F. Blackburn, Mitchell county; A. M. Cabel, Graham; R. L. D. Burchfield, Swayne; D. Frazier, Mitchell; J. H. Lewis, Graham; Henry Butler, Mitchell; J. S. Hide, Graham.

The Laurinburg Scotchman says: We have heard but little complaint in this immediate vicinity of the scarcity of cotton pickers, although, much cotton yet remains in the fields to be gathered. The farmers seem to have come to the determination to save the crops without the payment of exhorbitant prices to pickers. Much of the crop is already housed, and the prospects, for the saving of that portion of the crop yet remaining in the f

Wilmington Journal.

WILMINGTON, N. C.:

FRIDAY, NOVEMBER 28, 1873.

THE DAILY JOURNAL, the oldest daily paper in North Carolina, and the only [illegible] column daily in the State, is published every morning, except Monday, at Five Dollars a year; Four Dollars for six months; Seventy-five cents per month for shorter periods. Served by Carriers in the city at Seventy-five cents per month, or Two Dollars and Twenty-five cents per quarter.

THE WEEKLY JOURNAL, (Friday) a forty-six column paper, Two Dollars per year; three copies Five Dollars and a half; four copies Seven Dollars; eight copies, Eight Dollars and a half; fifteen copies, Fifteen Dollars; twenty copies Twenty-five Dollars.

SUBSCRIPTIONS in all cases payable in advance, and no paper continued after the expiration of the time paid for.

REMITTANCES should be made by Post-Office Order, or Express. If this cannot be procured, protection against losses by mail will be secured by forwarding a draft payable to the order of the proprietors of the JOURNAL, or by sending the money in registered letters.

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Liberal terms for longer periods and lower rates for yearly or semi-yearly terms.

All letters on business connected with the paper should be addressed to

JOURNAL AND JOURNAL COMPANY,
Wilmington, N. C.

Cape Fear Agricultural Association.

Fifth Annual Fair.

DECEMBER 9th, 12th, 1873.

CUBAN AFFAIRS—AMERICAN DIPLOMACY.

Since the capture of the Virginius, by the Spanish gunboat Tornado, matters have greatly gone from bad to worse, until now it seems almost impossible to avert war.

Leaving entirely out of the question the morality or illegality of the first act in the bloody drama, that is, the capture of the Virginius, the conduct of the representatives of the Spanish Government in Cuba and, indeed, if later unofficial accounts be true, the conduct of Spanish officials and the Spanish people in Madrid, has been such that it is difficult to see how, in accordance with the code of honor observed among nations, the relations existing between Spain and the United States, can any longer remain peaceful.

Of one thing, however, the people of the United States may rest assured, and that is that, at war comes, it will not be owing to any precipitate action on the part of the Federal Government, nor from any undue haste on the part of that Government to provoke Spain to active hostilities. Indeed, the tone of those with which the Secretary of State has acted, and the marked friendly coloring he has given to the views of the Spanish Government, and his continual expressions of supreme confidence in the disposition of the Government to make ample reparation for any injury or insult to the American flag that existed not only against, but suspicion. Indeed, as a commentary on this course by Mr. Secretary Fish, it has been stated that in every precedent the Spanish Government at Washington City as its Attorney and receives for his services in that capacity one hundred thousand dollars a year. Now is it only recently that this statement has been made.

The manifest impropriety of the act of the Secretary in charge of the Foreign Affairs being the heavily paid Attorney of a foreign nation, is so great that, but for the demoralization of the age generally, and the corrupt practices by American officials particularly, it would scarcely be credited.

Concerning the cause of the Spanish Government, as shown by later dispatches and that by *unofficial* dispatches and that not to have been received by the reporters of dispatches from and emanating from the Department of State and the relations of the Minister with the Spanish officials, more than will come to the conclusion that Mr. Secretary Fish does not do justice to himself and to his official position to explain the discrepancy.

According to the first dispatches, received from the State Department at Washington the Castellar Government was ready and anxious to do all in its power to meet the views of the American Government, and General Sickles, the American Minister, was being constantly assured with Spanish officials in the most friendly and cordial way. Soon after this being received at the State Department at Washington City, it turns out that there was a misunderstanding between General Sickles and the Spanish Cabinet; that the Spanish Government told General Sickles that Spain would not tolerate American interference, and indignantly refused to allow him to discuss the conduct of municipal affairs in Cuba; that the "interview" terminated angrily and with the declaration, on the part of the American Minister, that he would hereafter hold no more personal, but only official, relations with the Spanish Minister for Foreign Affairs; and not only that, but the American Minister is in danger of personal violence from the Spanish mob! How is this glaring discrepancy to be reconciled? Does Mr. Fish allege that his first dispatches made false representations? If so, who is responsible therefor? It is certainly a curious state of affairs, and about the only thing that seems perfectly clear is that the Spanish Minister for Foreign Affairs has no son who is Attorney for the United States Government at Madrid with a salary of one hundred thousand dollars a year.

A CLUB.

We return thanks to a friend at Angola, Onslow County, for a club of eleven subscribers. There are some friends whom even the present "hard times" cannot deter, and their kindness is consequently the more highly appreciated.

The Dentist's Forceps

will never be required to wrench a decayed tooth from the mouth of any one, who habitually manipulates his or her teeth with Sozodont. It prevents all dental disease.

EDITORIAL CORRESPONDENCE.

RALEIGH, Nov. 22, 1873.

MY DEAR JOURNAL:—While the weather has steadily continued to grow colder, discussion has quite as steadily grown warmer.

Yesterday, in the House of Representatives, the "back pay resolutions" were under consideration, but no definite conclusion was reached. Their further consideration was made the special order for this morning.

On yesterday, also in the House, one of the colored representatives from Craven introduced a civil rights bill, providing that all accommodations at hotels, on steamboats, railroads and elsewhere, shall be used in common—"first come first served"—for black and white alike. Of course there is no danger that any such bill will pass the present or any other Conservative Legislature in North Carolina.

In the Senate, on yesterday, the only question that provoked any discussion was a bill introduced by Mr. Merrimon, reciting that the Public Treasurer had refused to pay warrants duly audited, upon the pretence that he had been prohibited from so doing by an injunction from Judge Bond, of the Federal Court; that no such restraining order had been issued, and enacting that the Public Treasurer be directed to pay warrants duly audited, and upon a conviction in the Superior Court of Wake county of a refusal so to do, to be deemed guilty of a misdemeanor, and punished by fine and imprisonment. The bill was read and passed the first time, and, the rules being suspended, was put upon its second reading. The facts of the case appear to be about as follows: Mr. Self and certain other Special Tax Bondholders filed bills in Equity in Judge Bond's Federal Court and asked that an injunction be issued to restrain the Public Treasurer from paying out any money until the sum of $240,000 should be made up and then that it be kept to await the event of the suit. Judge Bond set the case for a hearing on Wednesday next and due notice thereof was served upon the Treasurer, but no injunction or restraining order in any shape was issued prohibiting the paying out of money prior to the hearing on Wednesday.

Mr. Jenkins, the Public Treasurer, assumes that under the practice in the Federal Courts the notice to the prayer for an injunction is equivalent to a restraining order. In this opinion it is said that Messrs. W. N. H. Smith and K. P. Battle sustain the Treasurer, at least to the extent of saying that in case the injunction shall be granted on Wednesday it will relate back and make the Treasurer responsible from the day of notice served. The Attorney-General holds very decidedly the opinion that it is the duty of the Treasurer to pay out money until some restraining order is actually issued and that no process thus far issued by Judge Bond amounts to an injunction, or will avail as an excuse for refusing to pay out money upon any proper demand. It will be remembered that Mr. Self and Co have filed no bonds with their application for the injunction. Many prominent lawyers agree with the Attorney General.

Mr. Merrimon's bill was framed to meet the emergency presented by these facts. Another suggestion is to pass a resolution ordering the Treasurer to disobey all process from Federal Judges seeking to clog the wheels of the State Government by locking up its funds and calling upon our members of Congress to move for the impeachment of Judge Bond before the United States Senate in case he issues and attempts to execute any such process.

The question is undoubtedly one of the very gravest importance; indeed, if it shall be decided by the tribunal of last resort adversely to the State of North Carolina, the triumph of the Federal Government over State sovereignty will be complete.

The argument will, of course, be an able one, as Reverdy Johnson and Caleb Cushing both appear in the case. Mr. Johnson has already engaged rooms at the Yarboro House. Mr. Cushing will also be here, it is said, though it is not as yet known where he will lodge.

Speaking of Reverdy Johnson recalls the fact that the last time I heard him make an argument, indeed the only time, was before the Supreme Court of the United States in the celebrated *Dred Scott* case. And recalling that fact I cannot help regretting that it is the hand of Reverdy Johnson that seeks to strike the death blow to the rights of States. It is a matter of regret, too, that Mr. Johnson comes as agent in such an errand, because, he is a man whom North Carolinians would delight to honor. But these are strange times in which we live.

The discussion upon Mr. Merrimon's bill was interrupted by the announcement of Judge Boyden's death, whereupon the Legislature adjourned in honor to his memory.

The Charlotte people it is said, are making great preparations for their Fair next week. Taking advantage of the fact that Thanksgiving, a legal holiday, comes next week, they have formerly invited the members of the Legislature to attend the Fair on that day. By leaving here on Wednesday night, such members as desire to go, can spend the day there and return in time for Legislative business on Friday morning and there will doubtless be a large attendance. S.

Building Association Decision.

This morning, in a case where M. Pabst had been in default in the payment of dues, fines, &c., to the Economical Building Association, and the Association had advertised the sale of real estate conveyed in trust to secure the payment of the customary dues and fines of the Association Judge Humphrey enjoined the sale of the estate, readjusted its accounts, declared that the loan made was usurious, and directed that Pabst be charged with all money actually received by him from the defendants, and with the insurance premium paid by the Association on his property, with interest at six per cent., and that he be credited by all sums paid the Association, whether it is dues, fines, or otherwise, with legal interest, and that a balance be then struck, and the case again reported to the court. It is understood that the case will be carried up on appeal.—*Washington letter of Oct. 19th.*

The Dentist's Forceps

will never be required to wrench a decayed tooth from the mouth of any one, who habitually manipulates his or her teeth with Sozodont. It prevents all dental disease.

WHY THE SOUTH IS POOR.

The Columbus *Enquirer* says the South is poor, not because we have less thrift or intelligence than other sections, but because we do not wisely use our gifts. The profits of our labor go to enrich Europe and the North and West. Though our cotton money amounts annually to hundreds of millions, it must go abroad to pay for almost everything we eat and wear. Perhaps a hundred millions go to Europe, France and Germany for extravagant dressing and fancy goods, twice as much more to the West to pay for provisions, furniture, etc. Our agricultural implements are nearly all made abroad. How much goes to Cincinnati for whiskey? How much to Tennessee and other States for guano, hay, dressed poultry, pork and Bologna sausage? Why cannot our farmers raise poultry, and why not our butchers make as good sausage as Tennessee or any other State? Thus in thousands of ways our profits are borne away, and we are left without money, completely at the mercy of those upon whom we are dependent. It is time our people were reflecting seriously upon their vassalage and turning their attention to ways and means to prevent the outflow of money from our midst. Let us encourage home production in every possible way, for only by so doing can we hope to regain our former position of wealth and independence.

THE INSANE ASYLUM.

We have received a copy of the "Report of the Directors and Superintendent of the Insane Asylum" for the official year, ending October 31st, 1873. We publish the following intere-ting extracts, which we take from the Raleigh *Sentinel*:

"The total number of admissions since the opening of the Asylum on the 22d day of February, 1856, is 1,043; the total number of discharges for the same time is 801; of whom 262 were cured; 95 improved; 170 unimproved; 274 died; leaving now under treatment 242.

Upon the whole number of admissions the per centage of discharges has been 77—; of cured, 25 per cent; of improved, 9 per cent; of unimproved, 16 per cent; of deaths, 26 per cent.

Upon the whole number of discharges, the per centage of cures has been, 33—; of improved, 12—; of unimproved, 21 per cent; of deaths, 34 per cent.

At the close of my last report there were in the Asylum 119 males, and 114 females. Of the numerous applications for admission, we have been able to make room for only 33 males and 17 females. The whole number under treatment during the year was 152 males and 131 females, making a total of 283.

There has been 28 males and 13 females discharged during the year; of these 12 males and 6 females were cured; 6 males and 1 female improved; 2 males and 1 female in a stationary condition; and 8 males and 5 females died."

* * * * *

"Upon the number of admissions during the year, the percentage of discharges was 82; of cures, 36; of improved, 14; of unimproved, 6; of deaths, 26.

* * * * *

Here is a summary of calculations made:

"1st. The cures upon admission 36 per cent.

2nd. The cures upon discharge of 44 per cent.

3rd. The deaths upon the number under treatment of 4 per cent.

Of the admissions during the year, the cause of disease is reported to have been mental in 8 cases, physical in 24, and unknown in 18. The form was mania in 31 cases: epileptic mania in 4; melancholia in 9, and dementia in 6.

* * * * *

"Of those discharged improved the supposed cause was physical in ever case. The duration before admission averaged 13 months. The time under treatment was less than one year in two cases, and from two to nearly six years in the others. Of the unimproved discharges the cause was physical in one case and unknown in two. The form was mania in all. The duration before admission 10 months in one case, unknown in one, and 5 years in one. The time in the Asylum from 14 to 15 years. Of the deaths the cause of insanity was physical in 5 cases, mental in 4, and unknown in 4. The form of the meutal disease was mania in 9 cases, imbecility in 1, epileptic mania in 2, and dementia in 1."

* * * * *

"One remarkable and melancholy feature of insanity in this State is perceptable upon the perusal of the foregoing tabular statements. The overwhelming preponderance of chronic mental disease, of those under treatment here, as well as the applications for admission on file, over the acute cases present suggestions of a serious character. Perhaps not more than ten per cent. of our present household, and a smaller proportion even of the several hundred applications now pending, the history of whose cases have been forwarded and placed on file, can, with any confidence be pronounced curible."

"During the year 263 applications, made or renewed by friends or county authorities, have been refused for want of room."

* * * * *

"While insanity, when acute and recent, is known to be as a general rule curable, when cronic it becomes one of the most insurable of all diseases at all amenable to treatment. Any attempt on the part of the State to save money by failing to provide for the early treatment of all its insane, or individuals and families to delay till the necessity becomes urgent, is poor economy and worse philanthropy. This mistaken policy has already filled the land with a class of dependent and incurable sufferers who are a burden to themselves, a terror to their families, and an expense to the public, and whom nothing can relieve for the present but death, or diminish for the future, but ample accommodations and timely treatment."

* * * * *

"According to the last census there are 779 insane in the State, which is about 1 to every 1,300 of our population; of these 242 are here, while 537 are scattered throughout the State in jails, poor-houses and private families."

It appears to us that these statistics are of sufficient public interest to justify the space we have given in copying them.

The fiscal year began with an indebtness of $7,000 upon the previous year's report. There will be a deficiency of $5,000 or $6,000. The female patients made 3,168 articles of clothing during the year, and mended 5,034. Rev. J. M. Atkinson, of the Presbyterian; Rev. Dr. Smedes, of the Episcopal; Rev. A. W. Mangum, of the Methodist, and Rev. Dr. Pritchard, of the Baptist Church, have performed regular alternate religious services.

Bishop Hennessy, of Kansas, has prohibited dancing in that diocese at Catholic fairs and festivals, stating that hereafter churches will be built without dancing.

Mme. Thiers' levees are successful in every sense of the word. Her saloon has become the caucus of the Left, and their political meetings are held there every evening.

Major Deschamps, the most implacable of the Parisian Communists, is reported to be in the United States marine corps. He headed the rabble that destroyed the Column Vendome.

Condensed from the Raleigh Sentinel.

NORTH CAROLINA LEGISLATURE.

SENATE.

SATURDAY, Nov. 22.

On motion of Mr. Cramer, a committee of two, consisting of Messrs. Cramer, and Ellis, of Columbus, was appointed to wait upon the Attorney General and ask his written opinion as to whether or not the Treasurer was enjoined from paying lawful demands upon the treasury. At a subsequent hour the Attorney-General responded and stated, giving his reasons for the opinion, that no such injunction existed.

THE TREASURER AND THE INJUNCTION.

At 12 1-2 p. m., the special order, Mr. Merrimon's bill to be entitled "An Act in relation to the duties of the Public Treasurer" was considered, the question being on the second reading of the bill.

Mr. Norwood offered a resolution as a substitute, to the effect that no injunction existed, that the Treasurer is required to pay the lawful demands made upon the treasury, and that in doing so he would be sustained by the General Assembly.

Mr. Merrimon proceeded to address the Senate on the main question. The preamble of his bill, he said, set forth two facts—first, that the treasurer had refused and still refuses to pay lawful demands upon the treasury, and, secondly, that no injuction existed restraining him from doing so; and Mr. Merrimon proceeded to show these allegations to be true. He then discussed the provisions of his bill, which were, simply to compel him to perform his duty under the prescribed penalties.

Mr. Flemming offered a bill as an amendment to the amendment of Mr. Norwood. This bill required the treasurer to pay lawful demands upon the treasury under the law of the State, without regard to the order of any Judge, State or Federal, under pain of impeachment.

Mr. Seymour repeated his objections of Friday to the course proposed, in consequence of the difference of opinion entertained by distinguished members of the legal profession. He said the view taken by the Treasurer was sustained by Messrs. Moore & Galting, Messrs. Smith & Strong and Mr. Battle. He cited the dictum of Chief Justice Pearson in the case of ex-parte Moore and others, N. C. Rep., and the case of Ford *vs.* Alexander, 64 vol. N. C. Rep. Also, sec. 2, sub-division 7, Drury on Injunctions—and contended that these authorities gave at least good ground for the Treasurer to proceed cautiously. He contended that there was a great difference between an irregular order and a void order.

Mr. Merrimon said he did not contend that the orders made were void or that they were not entirely proper; but simply that they were not restraining, and asked Mr. Seymour, as a lawyer, if he did not concur with him.

Mr. Seymour said the question involved sufficient doubt to justify the Treasurer in the course he was pursuing.

Mr. Flemming concurred fully in the views of Mr. Merrimon in regard to the order of Judge Bond, and joined him in a demand for immediate action. It was time the rights of the State were asserted and maintained. Still he preferred his own bill, as that of Mr. Merrimon's might lead to numerous suits. He would require the Treasurer to do his duty as prescribed by law, or have him at once impeached, to enable the Governor to fill his place with an officer who would perform his duty. The honor and dignity of North Carolina were involved, and it was the duty of the Legislature to take prompt action.

Mr. Welch did not think the honor and dignity of the State required hasty action. The question was one of a legal character to be settled by the courts—to be put at rest by the constitutional authorities of the United States—and this would be done next Wednesday. There was no immediate danger threatening the State. If the suit of Self and others was of so extraordinarily an outrageous character there was nothing to apprehend.

Mr. Norwood desired that no injustice should be done between a high officer of the State and the people. The State had surrounded the officer with an array of eminent legal talent whose advice he was acting under; and whether they were mistaken or not, the officer should not be subjected to severe pains and penalties for acting under their instructions. Such a course did not comport with the dignity or character of a sovereign State. The course proposed was rash and precipitate and would be regarded out of doors as a salary grab on the part of members. He thought all the objects sought could be obtained in a cool and dignified manner.

Mr. Durham was in favor of immediate action. The only tangible matter was in regard to the effect of the notice given to the Treasurer. This question should be decided, and it could only be done by the course proposed by the bill. The Self suit was but the beginning of a long line of suits of a like character. The State should not be left at the mercy of merciless suitors. He supposed a case wherein, during a recess of the General Assembly, such a notice as that in question should be served upon the Treasurer, and the hearing postponed for six months, and asked if that would not be virtually stopping the entire government machinery.

Mr. Morehead, of Guilford, fully concurred with Mr. Dunham. The authorities quoted by the opponents of the pending bill were from State Courts and were not authority in Courts acting solely under statutory law. The express terms of the act of Congress prohibited injunctions even "without reasonable notice." In this case no writ of injunction had been issued, and the notice of the hearing was given without any previous warning.

Mr. Merrimon wanted a vote, to see who would "crook the pregnant hinges of the knee that theft may follow fawning," as had been frequently and aptly quoted by the presiding officer. The opinion of the Attorney General should be respected; and it was a source of congratulation that the State had an Attorney General bold enough to express his opinion, though it conflicted with that of other counsel.

Mr. Murphy did not like any one of the propositions submitted—he spoke as a non-professional. If there was any principle involved, the matter of time should be ignored and the question at once settled. He desired to know if this was an apellate case.

Mr. Flemming replied that it was in two contingencies—the case of the imprisonment of the Treasurer and a writ of *habeas corpus*, or in the event of a disagreement of the circut court judges.

Mr. Love now called the previous question. The call was sustained.

Mr. Flemming's amendment was then rejected by a decisive vote.

Mr. Norwood's amendment, under a call of the ayes and nays, was rejected by a vote of 19 to 16.

The original bill of Mr. Merrimon then passed its second reading by a vote of 21 to 14.

Those who voted in the affirmative were:

Messrs Cunningham, Dunham, Ellis, of Columbus, Horton, Love, Mabson, McCabe, McCauley, Merrimon, Miller, Morehead, of Guilford, Morehead, of Rockingham, Murphy, Murray, Nicholson, Norwood, Price, Scott, Stafford, Todd and Waring—21.

Those who voted in the negative were:

Messrs. Eppes, Flemming, Gudger, Harris, Hill, Holloman, Hyman, King, Long, McCotter, Seymour, Smith, Walker and Welch—14.

THE ATTORNEY-GENERAL'S OPINION.

The following is the opinion of Attorney-General Hargrove in regard to the injunction, referred to in the proceedings above.

ATTORNEY GENERAL'S OFFICE,
RALEIGH, N. C., Nov. 22, 1873.

To the Honorable the Senate of North Carolina:

Your committee, Senators John T. Cramer and J. W. Ellis, have just called on me and requested on behalf of the Senate an answer, in writing, to the question whether there is now any restraint upon the Public Treasurer from paying out money from the treasury by reason of the suit of Alfred Self and others against him in the Federal Court.

In reply I beg leave to say that no writ of injunction can be granted by any Judge of the United States in any case, without reasonable previous notice to the adverse party or its attorney, of the time and place of moving for the same. See Brightly's Digest Laws of the U. S., vol. 1, p. 256, title equity, sec. 3.

Upon an examination of the process served on the Public Treasurer, it appears that a bill was filed by Alfred Self, a citizen of the State of New York, in the Clerk's office for the Eastern District of North Carolina, praying for a subpœna, &c., and an injunction special to the hearing and perpetual thereafter, &c. The usual Equity subpœna was issued on the 13th of November, 1873, commanding the defendant to answer the bill and receive and abide the judgment, &c., of the Judge, on pain of judgment by default being taken against him, on or before the first Monday of January next. His Honor, Judge Bond, on the 10th of November made an order that the cause be set for hearing, upon the motion for an injunction, on Wednesday of the Circuit Court, to be held at Raleigh, provided that a copy of this order be served on the defendant within six days from the date of the order.

This was simply an order that he would hear and consider the application for the injunction on the third day of the term, provided the notice was given, and, at *that time*, grant the injunction, or, at *that time* refuse the injunction.

He certainly did not grant a writ of injunction at the time he made the foregoing order, nor could he have done so, because no notice had been given to the defendant; and further, the idea of an injunction is excluded by fixing the day when he would decide to grant or deny the writ.

If the complainant, Alfred Self, had desired a restraining order before the hearing of the motion for an injunction, it was competent for him to apply for it, and his Honor might, in a proper case, if there appeared to be danger of irreparable injury from delay, have granted an order restraining the Public Treasurer until the decision upon the motion for an injunction. So easy was it for the complainant to have obtained such restraining order that he could, in the discretion of the Judge, upon a proper case, have had it without security. See act of Congress, approved June 1-t, 1872, chapter 255, sec. 7, statues at large, second session of the Forty-second Congress. Yet, having a right, upon a proper case, to this order, he has not yet obtained it. No such order has been made, that I am aware of. It may be urged that the prayer for a writ of injunction in the bill, and the service of a copy of the bill and the subpœna, together with the order setting the motion for injunction for hearing a certain day, operate as an injunction or order of restraint. Not so.

If such restraint had been desired the complainant had his remedy. His course was marked out by the statute. And when a party has a remedy, plainly provided by law, that is the one he must take.

I am of opinion that the acts of Congress above alluded to are decisive of the question, and therefore it is not necessary to cite further authority to sustain this view.

My opinion is that those suits do not now constitute any legal impediment to prevent the Treasurer from paying out money from the treasury on proper warrants from the Auditor.

(Signed) T. L. HARGROVE,
Attorney-General.

HOUSE OF REPRESENTATIVES.

SATURDAY, Nov. 22.

Mr. Brooks, a petition from the members and friends of the Methodist Church at Shallotte Camp Ground in Brunswick county, asking a bill to prevent the sale of liquor in two miles of said Church. Calendar.

READ AND REFERRED.

Mr. Houston, a resolution of instruction to the Attorney-General.

Mr. Wiley, a bill to prevent the selling of articles by the offer of gifts or prizes.

Hughes, colored, a bill to create a laborer's and mechanic's lien law, &c.

Mr. Cobb, a bill to extend the time allowed sheriffs and tax collectors in which to settle their amounts with the county treasurer.

Mr. Blythe, a bill to allow widows to sell real estate.

Mr. Gorman, a bill to organize, equip and discipline the militia of North Carolina.

The hour of 12 having arrived the Speaker announced the special order, being the resolution concerning the increase of salaries of members of Congress.

On motion of Mr. Houston, the special order was postponed five minutes, and the resolution of instruction to the Attorney-General was considered and adopted.

The consideration of the special order was resumed.

On motion of Mr. Jones, of Caldwell, the whole matter was referred to the Judiciary Committee, with instructions to report resolutions on the subject.

Mr. Jones, of Caldwell, offered a resolution in regard to repairs in the Hall of the House, requiring the Doorkeeper to have a partition erected in the gallery—one side for the use of the colored and the other for the whites. Referred.

Invitation to the House of Representatives to attend the Fair of the Carolinas at Charlotte was read.

On motion of Mr. Jones, of Caldwell, a resolution of thanks was voted to the officers of the Fair of the Carolinas for their polite invitation.

SENATE.

Monday, Nov. 24th.

Mabson, col., asked that the bill for the special relief of the Sheriff of New Hanover be taken up, which bill grants the Sheriff until the first Monday in February.

It was advocated by Messrs. Ellis, of Columbus, and Murphy.

Mabson stated that the relief was not asked for the Sheriff, but for the people of New Hanover.

Mr. Ellis, of Columbus, stated such was the fact.

Mr. Dunham stated that the passage of the bill would give much relief to the people of New Hanover.

The bill was put upon its third reading and passed—ayes 35, noes 3.

A message was received from the Governor transmitting the report of the Board of Education in regard to the sale of public lands. The report was ordered to be printed and referred.

The House transmitted the report of the Committee in relation to the Western North Carolina Railroad matter. Ordered to be printed and referred.

House bill in relation to Public Printer, relieving the printer of the penalty imposed for failure to get out laws in time, was placed on calendar.

Mr. Ellis, of Columbus, introduced a bill in relation to instruction to school officers, that the same be repealed. Referred.

Mr. Love, a bill in relation to bastardy. Referred and ordered to be printed.

Mr. Love, a bill in relation to administrators and others. Referred.

Mr. Seymour, a bill concerning incorporated towns and villages. That the same shall not forfeit their charters for failing to hold their annual elections in May. Referred.

Mr. Seymour, a bill to amend chapter 37 of Battle's Revisal. Referred.

Mr. Humphrey, a bill to amend charter of North Carolina Railroad. Referred and ordered to be printed.

Mr. Ellis, a bill concerning the sale of liquor at Peacock's Store, in Columbus county. Referred.

Mr. Hill, a resolution in favor of the Sheriff of Bladen county—that the same be allowed until the first Monday in February to settle with the Treasurer. Referred.

By Mr. Humphrey: A resolution in relation to the financial condition of the country, requesting the Congressmen from this State to use their influence to obtain an expansion of the currency. Referred.

Mr. Avera called up the bill for the general relief of the Sheriffs.

Mr. Todd moved that the relief be extended to the first of February in order to give more substantial relief. Adopted. Ayes 21, noes 17.

Mr. Norwood moved as an amendment to add after 75 per cent., the words "and all taxes actually collected." Adopted.

Mr. Dunham moved an amendment that no Sheriff taking advantage of this extension shall be entitled to mileage for paying in said taxes. Adopted.

Mr. Cowles called for the previous question, which call was sustained.

The bill passed its second and third readings.

HOUSE OF REPRESENTATIVES.

Journal of yesterday read and approved.

Mr. Perry, of Bladen, was granted leave of absence.

Mr. Brooks presented a petition asking the prohibition of liquor within three miles of any private or public school in Shallotte township, Brunswick county. Referred.

By Mr. Richardson: A resolution to raise a committee to investigate the affairs of H. J. Menninger, late Secretary of State. Calendar.

By Mr. Bennett: A bill to enable foreign guardians of infants and insane persons to remove the estates of their wards from the State. Referred.

By Mr. Turner: A bill in relation to the duties of the State Treasurer. Referred.

By Mr. Norment: A bill to prevent the enticing of servants from fulfilling their contracts when employed and harboring them. Referred.

By Mr. Brooks: A bill to incorporate the Brunswick Bridge and Ferry Company. Referred.

By Mr. Houston: A bill to amend chapter 68, section 50, Battle's Revisal. Referred.

By Mr. Brooks: A bill concerning the ferries and causeway between Wilmington and Brunswick county. Referred.

By Mr. Joyner: A bill to amend chapter 63, section 11, Battle's Revisal. Referred.

By Mr. Marler: A bill to amend chapter 121, section 13, Battle's Revisal, so as to furnish Sheriffs with a copy of the document. Referred.

By Mr. Haynes: A bill to establish a new county by the name of Bragg. Referred.

By Mr. Paschall: A bill to amend chapter 68 of Battle's Revisal. Calendar.

On motion of Mr. Turner, the rules were suspended and the bill requiring the Treasurer to pay out money on lawful warants under the penalty of a fine of $1,000 and three months imprisonment, was taken up and, after debate, was referred to the Joint Select Committee on Self suit.

The bill to amend the charter of the Carolina Central Railway Company was taken up and passed its several readings.

The bill to amend the act incorporating the Wilmington Seaside Railway was taken up, and after the adoption of the amendments reported by the Committee to whom the bill was referred, passed its several readings.

The bill to amend and consolidate the various acts concernings the town of Lumberton, was taken up and passed its several readings.

The bill to repeal chapter 68, laws of 1871-'2, was taken up. (Deer law.)

Mr. Bean offered an amendment excluding the county of Randolph from the provisions of the bill. The introducer of the bill, Mr. Anderson, of Clay, accepted the amendment.

The bill then passed its several readings.

The bill to secure equal rights to colored citizens of North Carolina was taken up.

Dudley, col., the introducer of the bill, moved to make it the special order for the third Wednesday in December.

Williamson, col., moved to lay the bill on the table. The yeas and nays were called, and the motion to table prevailed.

The bill to prohibit the sale of liquor near the Laurinburg Presbyterian Church, Laurinburg, Richmond county, was taken up and passed its several readings.

Help the Torpid Organs.

When the body is in a state of health, food taken into the stomach acts on the bowels as a stimulant, causing that worm-like motion by which their contents are expelled. The liver being in a natural condition, the flow of bile (which is a mild cathartic) into the intestines is ample and regular, and hence the discharges are easy and sufficiently frequent. The reverse of all this constitutes costiveness, and the only true method of cure is to restore the functional activity of the two important organs which use the bowels as a sewer for the egress of waste matter. For this purpose Hostetter's Stomach Bitters can be confidentially recommended as the most effective of all medicines. It is not too much to say that chronic constipation would be unknown if the Bitters were in universal use as a remedy in the earlier stages of the complaint. At this period of the year, when dyspepsia with all its kindred disorders is so apt to be engendered and aggravated by the dampness of the atmosphere, this unequaled stimulant, tonic and alterative should be taken daily. 4w.

How to Live Economically.

The problem of how to economize in living is one that engages the serious attention of a great many people. "Many a little makes a mickle" was one of Benjamin Franklin's "Poor Richard" truisms that summarizes the whole system of popular extravagance. If you wish to save money, economize in little as well as large items of expenditure. For all the household purposes for which polishing powder, Bath brick and soap are usually used, excepting the one thing of washing clothes, Sapolio is by many times the cheapest article that can be employed. To say nothing about its great superiority to all other substances, it is, on the score of money alone, by far the cheapest. Remember this fact and save many dollars every year. 4w

As the subject of taxing church property has been agitated for some time, and as there is a growing conviction that it should pay its way precisely as other taxables, the following estimate of church valuation in a single city may be of advantage to argumentative folk. The valuation of all denominations in New York city stands:

	Churches.	Capacity.	Value.
Episcopal	72	58,000	$35,000,000
Presbyterian	53	47,000	6,500,000
Roman Catholic	41	60,000	8,500,000
Methodist	50	40,000	3,000,000
Baptist	31	26,000	1,000,000
Reformed Dutch	21	17,000	2,500,000
Synagogues	26	15,000	2,500,000
Lutheran	15	12,000	1,500,000
Universalist	6	5,000	500,000
Congregational	5	5,000	1,000,000
Unitarian	3	2,500	600,000
Friends	2	2,000	400,000
Miscellaneous	20	11,000	1,000,000
Total	349	308,500	$69,000,000

THE CUBAN BUTCHERY.

FURTHER DETAILS OF THE INFAMOUS TRAGEDY.

AN EYE-WITNESS TO THE EXECUTION.

PROTEST OF CAPTAIN FRY.

Correspondence from Havana of November 15th gives the following details in reference to the atrocious murder, at Santiago, of citizens of the United States and others, from on board the American steamer Virginius, captured upon the high seas by a Spanish man-of-war:

COURT MARTIAL.

The court trying the crew sat all night from the 6th to the 7th, upon the Governor of Santiago de Cuba receiving a dispatch late on the 6th from the British commander at Jamaica that he expected no execution would take place, and her Majesty's subjects, sixteen of whom were among the crew, would have a fair trial, and for this purpose the corvette Niobe had left for Santiago de Cuba. The crew was executed on the 7th; the Niobe arrived on the 8th.

CAPTAIN FRY MARCHING TO DEATH.

Regarding the manner in which Captain Fry and his companions marched to their fate, these advices show that they were landed on the 6th, at about 9 o'clock in the morning, from the steamer in which they had been confined, tried and condemned to death, and taken first to the captain of the port and then to the jail.

About midday of the 7th instant the *fiscal*, or prosecutor in the case, Captain S. M. Autras, of the gunboat Cuba Espanio, handed to the Vice-Consul, Mr. Schmitt, a permission from the captain of the port and commandant of marine, Don Ramon Brandaris, to call and see Captain Fry at the jail, who desired to see the Consul.

The latter immediately proceeded to the jail, where, after the usual formalities, he was admitted to see Capt. Fry, who informed him that he had been asking for that privilege, or that right rather, ever since he had been first brought to the port, but without avail, and he had only been granted this boon now within a few hours of his death, as he was to be shot at 4 o'clock, and desired to make his declaration and protest, having been captured, with his steamer, upon the high seas, and therefore protested against all and every part of the proceedings. The protest was concluded at about 2 o'clock, p. m., and the consul immediately transmitted a copy to Gen. Burriel.

The declaration and

PROTEST

of Capt. Joseph Fry, before the United States vice-consul, after being sentenced to death, was in substance as follows:

That he was the master of the American steamer Virginius, which had all her papers in complete order, especially the register of the steamer, crew list and articles, passenger list, clearance from Kingston, as also dispatch from the custom-house, &c. Sailed on the 23d of October, 1873, with all his crew and about one hundred and eight passengers; after a few hours at sea sprung a leak and put into Port Haytien for repairs; sailed from the port of Cumit, of that island, on the 30th day of October, and, while between the islands of Cuba and Jamaica, twenty miles or more from Cuba, was chased by a steamer, and overtaken and captured about eighteen miles north of Morrant Point, east end of the island of Jamaica, about 10 o'clock at night, the Spanish vessel previously firing several shots over the Virginius and compelling them to surrender.—The steamer was then taken charge of by a boarding-officer, who stated that he did so on his own responsibility, knowing her to be an American vessel and under the protection of the flag of the United States of America. The master, Joseph Fry, with the crew and passengers, were placed under guard, and all brought into the port of Santiago de Cuba on the first day of November.

On the evening of the same day, after having delivered over all the papers belonging to the Virginius, he was refused permission to apply to his Consul for aid and protection, and this was only granted him after being condemned to death, with the major part of his crew, under no known public law or pretext; and, as Captain Fry was hurried to make his preparations for death, he could make no further statement, but declares that the foregoing is his true declaration, which he signed in jail at 2 o'clock on the 7th of November, 1873—two hours previous to his execution.

This protest was approved by several of the foreign consuls, with whom Mr. Schmidtt advised. But His Excellency, Governor Burriell, was highly incensed at the consul's action, and informed him that he had demanded the revocation of his exequatur.

AN EYE-WITNESS TO THE EXECUTION.

Captain McArthur, of the British man-of-war Niobe, witnessed the execution of Ryan, Verona, Jesus de Sol, and Pedro Cespedes, and gives the following account: On the morning of the 5th day they were removed to the place of execution, about a mile from jail. The four victims were surrounded by a strong escort of Spanish soldiers. Verona and Ryan were calm and collected, and marched amidst the yells and vociferations of the infuriated Spanish rabble. Arrived at the place of execution, Cespedes and Jesus de Sol were forced to kneel, in which position they were shot in the back. The soldiers next directed Ryan and Verona to kneel in the same way, but they refused, and were seized and thrown down. They were hand-cuffed all the time.

The two victims begged their tormentors to allow them to die standing, and having offered further resistance, they were murdered standing. Ryan was not instantly killed. A Spanish officer stepped forward and thrust his

SWORD THROUGH RYAN'S HEART.

Verona died easily. Then down came upon the corpses, still warm, the blood-thirsty mob, who sever

FRIDAY, NOVEMBER 28, 1873.

AN AMERICAN CHANG PUCHEES.

STATE NEWS.

A Man Killed by a Train.

We regret to learn of an accident which occurred yesterday on the W. C. & A. Railroad, at Cerro Gordo, by which Mr. Evander Bass, of Columbus county, lost his life. The deceased was [illegible]

State Council of North Carolina. Seventh Annual Session.

Suicide and Life Insurance.

Life insurance policies usually contain a clause providing that if the insured shall die by his own hand the policy shall become void. An important case has just been concluded in the United States Circuit Court of Iowa. Charles L. Hogan, whose life insured by the Mutual Life Insurance Company of New York, killed himself in 1871, and the company declined to pay, on the ground that Hogan had died by his own hand, within the meaning of the execution stated in the policy. Hogan's administrator consequently brought suit, admitting the suicide, but declaring that the act had been committed whilst Hogan was "temporarily insane." Upon the insanity issue the trial took place before a jury, there being first excluded from the jury-box, however, all jurors who "had the preconceived opinion that a "man was conclusively insane merely "because he committed suicide."—Upon the side of the administrator evidence was produced to show that Hogan had, in the latter part of his life, changed from an affectionate husband and father to one who was irritable and morose; that he complained of pains in the head; treated his wife and children harshly, but afterwards denied all remembrance of such conduct; and that, in the opinion of several physicians, who testified as experts, he was really insane. Upon the side of the insurance company, this change in his conduct was admitted, but they declared that it was produced by a different cause than insanity. They showed that his family relations were unpleasant; that he got into severe pecuniary embarrassment; was a defaulter to the express company by which he was employed, and had embezzled a five hundred dollar money package, which the company was engaged just before his death in tracing out. Exposure being imminent, he ineffectually tried to borrow the money necessary to make good his deficit, and finally the superintendent of the express company unexpectedly appeared in Hogan's office to investigate his accounts, and on the same day Hogan shot himself. The jury, after an hour's deliberation, gave a verdict for the insurance company, and declared, in a special finding, that Hogan voluntarily took his own life. A motion subsequently made for a new trial was overruled. This case has an important bearing upon life insurance in connection with suicide.

The financial statements submitted by the managers of the Anti-Monopolist party in Minnesota and Iowa are remarkable for their brevity and precision. In Iowa the State Central Committee raised $5, of which $3.18 were expended for letter postage and telegrams. Thus the party will begin the canvass of the Congressional districts next year with $1.82 in the treasury. In Minnesota $2.50 was raised and expended, the result being the success of the nominees for State Treasurer and Secretary of State. So huge giants never before were slain with such little pebbles. But we must always regret that the Iowa committee did not expend that $1.82, seeing that $3.18 sufficed to cut down the Republican majority 87,000.

During the extreme heat of August 15th, at Flessingen, in Holland, the refraction of light resulting from differently heated strata of air was so great as to produce a remarkable mirage for that latitude. A neighboring city was seen apparently inverted in the sky.

MARRIED.

In this city, on the evening of the 26th inst., by the Rev. Dr. S. Marsh, D. D., Mr. W. M. HASKINS, to Miss ALICE CALLIS. No cards.

May their wedded life be bright,
As was their marriage morn;
May they live in love's pure light,
Their pathway have no thorn.

DIED.

Last evening, at o'clock, MILA FOSTER, aged 13 months, child of Andrew and Lizzie Gallagher. [illegible] Low De Rosset.

Yesterday morning, at o'clock, Mrs. MARTHA LEWIS, aged [illegible] months.

In Duplin county, at a quarter, A. M., on November, Mrs. MARY A. KIRKPATRICK, in the 74th year of her age.

She had for many years belonged to the Baptist Church, and lived [illegible] the esteem of a large circle of friends. Her [illegible] husband, [illegible] by many dear relatives and friends.

We mourn for those,
Heaven's brightest [illegible]
No more on earth to meet
But there all [illegible]

[illegible]
But there shall [illegible]
[illegible]
[illegible]
[illegible]
And we'll soon [illegible]

[illegible] Recorder please copy.

VICK & MEBANE,

Cotton Factors,

AND

General Commission Merchants,

WILMINGTON, N. C.

[illegible]

Liberal [illegible] Cotton for Sale.

REVIEW

OF THE

WILMINGTON MARKETS,

FOR THE

WEEK ENDING THURSDAY, November 27, 1873.

COMMERCIAL EPITOME.—The [illegible] noticed in our last has [illegible] during the past week, though the exciting causes can not be [illegible] which existed then. [illegible] The general condition of business affairs is improving, and the past week has been [illegible] any week since the panic. Confidence is being gradually restored and buyers are much encouraged as to [illegible] in the future market. [illegible] business of the country is rapidly recovering from its recent prostration is very evident, and though some time may elapse before it will again assume its former proportions, all the indications are reassuring, and the prospects are favorable for an early revival of business activity. All of our commercial exchanges from the North speak in assuring terms of a revival of business, and from a standard authority we copy the following:

"The recuperative powers of the country after the panic has spent its force have not been overestimated. This is shown in the rapidly increasing volume of business, as to nearly all branches of trade, and especially in the produce market, and this improvement is extended only by the slow growth of confidence and the consequent stringency in the money markets throughout the country. The very fact that the accumulation of money matures prices of produce have advanced about 10 per cent., on an average, from the lowest point, indicates that they are mainly depressed. It is one of the laws of trade and finance that when money is hoarded prices of merchandise will decline until a point is reached which will induce confidence in [illegible] money and [illegible] prices, and so [illegible] the panic in some instances, and it is not at all improbable that this will not be carried much higher. The withdrawal of capital from railroad interests, and to a considerable extent from stock speculation, will materially tend to promote speculation in other quarters. There are already indications that cotton, pork and breadstuffs will come in for a larger share of speculative attention than usual this winter. As far as this will operate to bring money into circulation in the channels of trade again, this will have a salutary effect upon business, but the ultimate influence upon the prosperity of trade in these articles is less assuring. Business flourishes better when it is free from wide fluctuations, and when prices of merchandise are carried too high they will sooner or later find their level, and that brings losses and frequently checks consumption to such an extent as to prostrate the branch of industry directly affected by it. As we have before stated the country as a whole is in sound condition. It has lost of capital to look it and that of the productions of the soil. Wheat, [illegible] breadstuffs, cotton, provisions, pork, all of the surplus of the United States, all of the surplus of [illegible] which the foreign countries [illegible] to create the commercial intercourse [illegible] temporarily interrupted by the [illegible] Asia [illegible]

[illegible] Suicide [illegible] Rhinebeck.

[illegible] It is Amazing

[illegible] [illegible] [illegible] [

Wilmington Journal.

WILMINGTON, N. C.:

FRIDAY, NOVEMBER 28, 1873.

Condensed from the Raleigh News.

LEGISLATURE OF NORTH CAROLINA.

SENATE.

Wednesday, Nov. [illegible].

The Senate was called to order at 12 o'clock by Lieutenant Governor in the chair.

From the Governor transmitting a communication from the State Treasurer in regard to the Seaboard and Roanoke injunction on the Treasury, also announcing that he had employed [illegible] counsel to assist the Attorney General in the interest of the State.

From the Governor, transmitting communication from Professor [illegible] State Geologist, in regard to [illegible] to the Vienna exposition. [illegible] was, on motion of Mr. Fleming, referred to the Committee on Agriculture, Mechanics and Mining.

From the Governor transmitting report of N. W. Woodfin, Special Commissioner to examine into the affairs of the Western Division of the Western N. C. Railroad, which was, on motion of Mr. Merrimon, laid on the table for the present.

From the House announcing the concurrence of that body in the proposition of the Senate to raise a Joint Committee on the State debt and liabilities. The Chairman announced the Senate branch of this Committee, Messrs. Humphrey, Norwood and Seymour.

By Mr. Avera, a bill fixing the weight of packages containing salt fish. Referred to Committee on Propositions and Grievances.

By Mr. Morehead, of Guilford, a bill to amend the act to secure the completion of the Western Railroad. The bill having been reported upon at the last session was placed upon the Calendar.

By Mr. Merrimon, a bill to amend Chapter 117 of Battle's Digest, entitled "Widows." Referred to Judiciary Committee.

By the same, a bill to amend Sec. 13, Chap. 14, of Battle's Digest, entitled, "Landlord and Tenant." Referred to Judiciary Committee.

HOUSE OF REPRESENTATIVES.

Pursuant to adjournment, at 11 a. m. Mr. Speaker Robinson called the House to order.

Mr. Bennett, from the Committee on Judiciary, reported favorably upon the bill to extend the time for Sheriffs and Tax Collectors to settle with the Auditor and Public Treasurer. The bill took its place on the calendar.

By Mr. Marler: A resolution condemning the increase of the salary of the President of the United States and members of Congress. Placed on the Calendar.

By Mr. Truett: A resolution approving of the Credit Mobilier investigation act. Calendar.

Mr. Blythe introduced a joint resolution in regard to the United States revenue laws.

WHEREAS, The practical working of the Internal Revenue laws of the United States in their present form is prejudicial to the best interests of the people in many localities in this State; and whereas, the vigorous efforts being made by Revenue officers to enforce these laws are creating discontent and confusion among the people; and, whereas, the enforcement of these laws are not only alienating the confidence among our citizens, but absolutely alienating the hearts of our people from the Government; and, whereas, the execution of these laws have not only been a great source in producing the evil herein specified, but in various sections of the State have cost the Government more than double the amount of Revenue derived from such sections; therefore,

Be it resolved by the House of Representatives, the Senate concurring, That our Senators and Representatives in Congress are hereby earnestly requested to use their influence to have the [illegible] so modified as to render them less expensive to the Government, and less oppressive to the people of these United States.

The resolution was placed on the calendar.

By Mr. Haynes: A resolution in regard to the Congressional Library act. Calendar.

By Mr. McGehee: A resolution concerning the increase of Congressional salaries, and condemning the same and asking for the repeal of the act. Calendar.

By Mr. Bennett: A bill to amend the charter of the Cape Fear and Yadkin Railway Company. Referred.

By Mr. Bain: A bill to regulate the entries of vacant lands. Referred.

By Mr. Norment: A bill to amend the act prohibiting the sale of liquor in the town of Lumberton. Calendar.

By Mr. Norment: A bill to amend and consolidate the various acts heretofore passed to incorporate the town of Lumberton. Referred.

By Mr. Bennett: A bill to prevent the sale of liquor within three miles of the Laurinburg Presbyterian Church at Laurinburg. Referred.

A message was received from the Governor transmitting a communication from the State Treasurer in regard to the injunctions in the Bonds suits.

The message was read, and, on motion of Mr. Jones, of Caldwell, the message and accompanying papers were transmitted to the Senate.

The proposition of the Senate to raise a Joint Select Committee in regard to the special bonds suit was concurred in.

The Chair then announced the following as composing the House branches of the following Joint Select Committees:

On the Special Tax Bonds—Messrs. Brown, of Mecklenburg, Bennett, Bowman, Moss and Gray.

State Debt and Liabilities—Messrs. McGehee, Jones, of Orange, Beck, Johnston and Battle.

The resolution of Mr. M. N. Johnston in regard to the special bonds suit was taken from the calendar and referred to the Joint Select Committee on the matter.

Several petitions were received and referred to the appropriate committee.

On motion of Mr. Norwood, the rules were suspended and the bill repealing the act prohibiting the sale of liquor in the town of Lumberton was taken up and passed its several readings, and was ordered to be engrossed and sent to the Senate.

On motion of Mr. Mabry, the rules were suspended and the bill to amend the [illegible] and Fair Ground Corporation [illegible] was taken up and passed its several readings. The Auditor and Public Treasurer was [illegible] Iowa until the third Monday in January, 1874.)

Mr. Rhodes moved reference to the Finance Committee. Lost.

After a prolonged debate Mr. Jones, of Caldwell, moved to lay the bill on the table. The motion was lost by the following vote: Yeas, 11; nays, 57.

Mr. Houston moved to postpone until to-morrow and make special order for 12 m. Adopted.

By Mr. Bennett: A bill to amend the act incorporating the Wilmington & Seaside Railway Company. Referred.

On motion the House adjourned until to-morrow at 11:30 a. m.

FOURTH DAY'S PROCEEDINGS.

SENATE.

THURSDAY, Nov. 20, 1873.

Senate met at 12 o'clock, the Lieut. Governor in the Chair.

INTRODUCTION OF BILLS.

By Mr. Norwood, a bill to prevent frauds in the sale of commercial manures. Referred to Committee on Agriculture, Mechanics and Mining.

By Mr. Morehead, of Guilford, a bill supplementary to and explanatory of all acts passed by the General Assembly. Referred to Committee on Judiciary.

By Mr. Todd: A bill to [illegible] a misdemeanor. Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

By Mr. Dortman, [illegible]

By Mr. [illegible]

By Mr. [illegible]

By Mr.